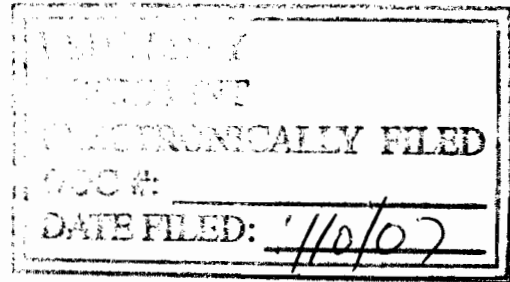


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----x
HOWARD GALE and RONNA GILBERT,

Plaintiffs,

-against-

SERVICE UNLIMITED,

Defendant.
-----x

05 Civ. 2450 (GEL)

ORDER

GERARD E. LYNCH, District Judge:

Pursuant to the Civil Justice Expense and Delay Reduction Plan, the above-captioned matter has been determined to be:

- ___ A. Not eligible for mediation because the case is:
- ___ i. Not a case in which money damages only have been sought.
 - ___ ii. A social security case.
 - ___ iii. A tax matter.
 - ___ iv. A pro se case.
 - ___ v. A prisoners' civil rights case.
 - ___ vi. A White Plains case.
- ___ B. Not eligible for mediation as otherwise determined by the Court.
- X C. Eligible for mediation subject to the limitations and restrictions noted below.

If the case has been determined to be eligible for mediation:

- X i. All issues are eligible.
- ___ ii. Only the following issue(s) is/are eligible:

The entire mediation process is confidential. The parties and the mediator may not disclose information regarding the process, including settlement terms, to the Court or to third parties unless all parties otherwise agree. The identity of the mediator is not to be disclosed even to the Court. However, persons authorized by the Court to administer or evaluate the mediation program may have access to information necessary to so administer or evaluate the program and parties, counsel and mediators may respond to confidential inquiries or surveys by said persons authorized by the Court to administer or evaluate the mediation program.

The mediation process shall be treated as a compromise negotiation for purposes of the

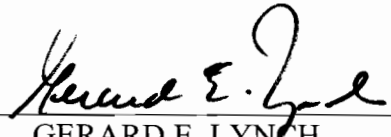
Federal Rules of Evidence and state rules of evidence. The mediator is disqualified as a witness, consultant, attorney, or expert in any pending or future action relating to the dispute, including actions between persons not parties to the mediation process.

Any timetable or deadline previously set by the Court is to be complied with and is in no way changed by the entry of this case into the Court's mediation program.

SO ORDERED.

Dated: New York, New York
January 8, 2007

*Please note that set to begin
February 5, 2007.*


GERARD E. LYNCH
United States District Judge